

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE:

VERENA LISA SEXTON

DEBTOR

*
*
*
*
*

CASE NO. 16-60081-13

JUDGE: RONALD KING

POST-CONFIRMATION MOTION TO MODIFY CHAPTER 13 PLAN
AND REQUEST FOR ADDITIONAL FEES

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

TO THE HONORABLE JUDGE OF SAID COURT:

The above-named Debtor, by and through her attorney of record, requests this Honorable Court allow her to modify her Chapter 13 Plan. As grounds therefore, Debtor would show as follows:

1. Debtor filed her voluntary petition for relief under Title 11 U.S.C., Chapter 13, and Chapter 13 Plan, on or about February 1, 2016. An Order Confirming the plan was entered on March 28, 2016.

2. The Debtor is requesting a modification of her Chapter 13 Plan to provide for payment of the additional claim of Specialized Loan Servicing, LLC in the amount of \$4,354.96 for post-petition arrearage in accordance with the terms of the Agreed Order Modifying Stay entered herein on or about November 29, 2016.

3. The Debtor is also requesting a modification of their Chapter 13 Plan to provide for payment of the ongoing indebtedness owed to Specialized Loan Servicing, LLC in accordance with the terms of the Agreed Order Conditionally Modifying Automatic Stay to be entered herein and specifically request that her ongoing post-petition mortgage payments to Specialized Loan Servicing, LLC be paid through the Chapter 13 plan at a fixed rate of \$739.44 per month, beginning with the payment due in December, 2016. The Debtors requests that the fixed payment amount be adjusted as necessary to account for any fluctuations in their mortgage payment amount due to regularly scheduled escrow analyses by Specialized Loan Servicing, LLC as long as Specialized Loan Servicing, LLC provides written notice of the payment change to the Chapter 13 Trustee in accordance with Bankruptcy Rule 3002.1.

4. Debtors propose to make Chapter 13 plan payments as follows: \$280.00 for months 1 and 2; \$350.00 per month for months 3 through 5; \$998.00 for months 6 through 10 and \$1,940.00 for months 11 through 60 which will be sufficient to pay all secured creditors having claims filed and allowed 100% and to pay unsecured creditors having claims filed and allowed approximately 100%. Debtor's base amount will be \$103,600.00. The Debtor would show that there are no changes to her Schedules I and J on file herein

5. Additionally, Debtor's attorney is requesting additional compensation for filing this motion in accordance with the Amended Standing Order Relating to Attorney Fees in Chapter 13 Cases in the Waco Division entered herein on October 18, 2011. The standard compensation for the preparation, filing and prosecution of this motion to modify chapter 13 plan is \$450.00, which amount should be paid through the Chapter 13 plan.

3

CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a true and correct copy of the foregoing Motion to Modify Chapter 13 Plan, with attachments and Proposed Order Thereon to:

Ray Hendren
Trustee, Chapter 13 Proceedings
3410 Far West Blvd., Ste. 200
Austin, TX 78731

Verena Sexton
2602 Eastwood Drive
Killeen, TX 76549

And All Creditors on the
Attached Creditor Matrix

LynAlise Tannery
Buckley Madole, P.C.
14841 Dallas Parkway, Ste. 300
Dallas, TX 75254

via electronic means as listed on the court's ECF noticing system or by placing said copies in properly addressed envelopes, with proper postage affixed thereto, and depositing same in the United States Mail on **December 7, 2016.**

Wm. Barry Phillips, P.C.

By: **/s/: George E. Micco**

GEORGE E. MICCO TBN 24025535
1201 South W. S. Young Drive, Suite B 254-634-0271
Killeen, TX 76543 254-634-0217 (Fax)
Attorney for Debtors